IN THE HIGH COURT OF JUDICATURE OF BOMBAY

APPELLATE SIDE

WRIT PETITION NO. 6617 OF 1999

President of Madhyamik Shikshan
Sanstha, Pendur .. Petitioner

versus

State of Maharashtra .. Respondents

...

Mr.D.S. Sawant for the petitioner.

Smt.S.S. Bhende, AGP for the respondent nos.1 to 3.

CORAM : S.B. MHASE AND
D.G. KARNIK, JJ
DATED : 10th January 2006.

P.C.:

1. Heard the learned counsel for the petitioner and the learned AGP for the respondents.

2. By this petitioner, the petitioner institution seeks that an approval be granted for the appointment of Shri Rane as a Junior Clerk with effect from 2nd September 1996. The learned AGP invites our attention to the order dated 22nd November 1999 (pages 126 to 128

of the petition) passed by Education Officer whereby the Education Officer has granted approval to the appointment of Shri Rane as a Junior Clerk with effect from 29th September 1998.

3. We are thus satisfied that the major grievance of the petitioner for obtaining of the approval has been satisfied. The learned counsel for the petitioner only urges that approval should have been granted with effect from 4th September 1996 and not with effect from 29th September 1998 with effect from which date approval has been granted. The order of the Education Officer shows that the post has become a free category post with effect from 29th September 1998 and therefore, sanction of approval with effect from 29th September 1998 appears to be proper.

4. In view of the fact that the major grievance of the petitioner has been satisfied and we do not find anything arbitrary in the impugned order, no further orders are necessary.

5. Petition is disposed of accordingly.

(D.G. KARNIK, J) **(S.B. MHASE, J)**